

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Digant P. Dave, Thomas E. Milner and Taner (NMI) Akkin

Continuation of
U.S. Serial No.: 10/044,421

Filed: January 11, 2002

Group Art Unit: 2874

Examiner: John D. Lee

For: : FIBER-BASED OPTICAL LOW COHERENCE TOMOGRAPHY

Express Mail No.: EV 312825343 US

Date of Deposit: October 6, 2003

I certify that the accompanying paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to MAIL STOP: PATENT APPLICATION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450


Linda L. Gibson

MAIL STOP: PATENT APPLICATION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR FILING A CONTINUATION-IN-PART
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

Dear Sir:

This is a Request for filing a Continuation-In-Part Application under 37 C.F.R. § 1.53(b), of co-pending U.S. Patent Application Serial No. 10,044,421, filed January 11, 2002, entitled: FIBER-BASED OPTICAL LOW COHERENCE TOMOGRAPHY that claims priority to United States Provisional Patent Application Serial No. 60/261,658, filed January 12, 2001. The Inventors of the invention being claimed in this Continuation-in-Part Application are Digant P. Dave, Thomas E. Milner and Taner (NMI) Akkin.

Please accept the attached Continuation-in-Part Application that includes a substantial portion of the co-pending Patent Application, Serial No. 10/044,421, as filed on January 11, 2002. The present Application has two common inventors with the co-pending Patent Application, is filed before the patenting or abandonment of or termination of proceedings on co-pending Patent Application, is amended to contain a specific reference to the earlier filed (parent) co-pending Patent Application, and adds new matter, including new claims and a new drawings, not disclosed in the co-pending Patent Application.

The following documents are enclosed:

1. Continuation-in-Part Application (3 pp.);
2. Formal Drawings (7) sheets, (7) figures;
3. An unsigned Declaration under 37 C.F.R. § 1.67(b); and
4. An executed Assignment as filed with the prior co-pending Patent Application.

Applicants claim **Small Entity Status**.

For	Number Filed	Number Extra	Rate	Fee
Total Claims	36	16	9.00	\$144.00
Independent Claims	10	7	43.00	\$301.00
Basic Filing Fee				\$385.00
Multiple Dependent Claim	0	0	65.00	\$ 0.00
TOTAL FILING FEE				\$830.00

No Fees are enclosed at this time, as they will be paid at the time of filing a Response to Missing Parts Application

I hereby verify that all statements made herein are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please address all future correspondence to:

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and direct all telephone calls to (214) 999-4914.

Dated this 6 day of October 2003.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

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